THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

W.P. NO. 17275 of 1998

DATED: 08-08-2007

Between:-

Kola Mahesh s/o late Anjaiah, aged about 20 years, occ: Unemployee, R/o Kapuwada, Karimnagar District.

...PETITIONER

And

A.P. State Road Transport Corporation represented by its Managing Director, Musheerabad, Hyderabad and 2 others.

...RESPONDENTS

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O R D E R

Questioning the order of the 2nd respondent dated 04-09-1997 rejecting the petitioner's application for compassionate appointment under the bread-winner's scheme as arbitrarily and illegal, the present writ petition is filed.

In the impugned order dated 04-09-1997, the Personnel Officer of the A.P.S.R.T.C. referred to its earlier letter dated 09-06-1997 that, at the time of his father's death, the petitioner was a minor aged 14 years, that the applications of dependants/sons of deceased employees children which were received within 3 years from the date of the death of the employee were only entertained, that as per the record there was no evidence to show that the petitioner had submitted an application for employment on 16-08-1995 and, even if the contentions were to be accepted to be true, the petitioner was a minor on the date of submission of the said application, as the minimum age for obtaining employment in Class-IV posts was 18 years. The

Personnel Officer informed that the applications of deceased employees children, who fulfill the requisite qualification for such post, received within 3 years from the date of death could only be entertained.

In the present case, the petitioner's father died on 31-03-1993. The petitioner was born on 21-08-1978 and was less than 15 years on the date of his father's death. Even if he had submitted a representation within the 3 years period he could not have been appointed since, even on completion of 3 years after his father's death i.e. by 31-03-1996, the petitioner was less than 18 years of age and was ineligible to be appointed to any Class-IV post. The impugned order, however, makes a reference to the fact that the petitioner was entitled to claim additional monetary benefits in lieu of employment and that he was not eligible to be considered for employment in any Class IV post on compassionate grounds.

Ends of justice would be met if the petitioner were permitted to submit a representation to the 2nd respondent, within a period of one month from the date of receipt of a copy of this order, in which event the 2nd respondent shall consider the representation in accordance with law, and the circulars issued by the Corporation from time to time, and examine the petitioner's claim for being granted additional monetary benefits in lieu of employment and pass appropriate orders within a period of three months from the date of receipt of such representation.

The writ petition is, accordingly, disposed of. No costs.

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RAMESH RANGANATHAN, J

Dated: 08-08-2007
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